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JUN 10 2004

In re Application of:
Shunpei Yamazaki et al.
Serial No.: 09/685,698
Filed: October 10, 2000
Attorney Docket No.: SEL 213

DECISION ON PETITION TO
WITHDRAW THE HOLDING
OF ABANDONMENT

This is a decision on the petition to withdraw the holding of abandonment filed on June 26, 2003. There is no fee for this petition.

The petition is GRANTED.

This application became abandoned for failure to timely file a proper reply to the Office letter (a restriction requirement) mailed on September 26, 2002. A Notice of Abandonment was mailed on June 26, 2003.

Petitioner asserts that he was called by the Patent Office on June 19, 2003 and was asked whether a response to the restriction requirement had been filed. Petitioner further asserts that neither the restriction requirement nor the Notice of Abandonment have been received.

A review of the application file record reveals that on April 19, 2001 the correspondence address was changed from a law firm in Chicago, Illinois to a different law firm in Atlanta, Georgia. This change of address was made via Customer Number. However, there is nothing in the application file record which indicates that such a change of address was ever requested. A telephone call was made by Special Programs Examiner Edward Westin to the petitioner on April 8, 2004. During that telephone call, petitioner confirmed that the correspondence address should be the Chicago, Illinois address.

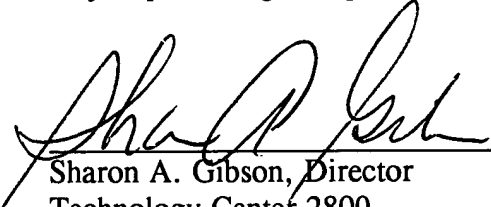
The evidence is sufficient to establish that the restriction requirement was not received because it was mailed to an incorrect address.

The Notice of Abandonment mailed on June 26, 2003 is hereby VACATED and the holding of abandonment is withdrawn.

This application file is being forwarded to the Technical Support Staff of Technology Center

2800 for the remailing of the restriction requirement. A new shortened statutory period for reply will be set to expire one month from the date of remailing. The correspondence address has been changed back to the Chicago, Illinois address noted above.

Any inquiries regarding this decision should be directed to Edward Westin at (571) 272-1638.



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